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Practitioner's Docket No. TK8778US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martyn Hurn

Application No.: 10/672,536

Group No.: 3677

Confirmation No.: 3722

Filed: September 26, 2003

Examiner: James R. Brittain

For: BUCKLE

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED
PROCEDURE
EXAMINING GROUP
3677**

**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

_____ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

_____ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Signature

Christine Goellner

Date: November 22, 2004

Christine Goellner

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicant is a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No Previously Paid For	Present Extra	Rate	Addit Fee
Total	5	Minus	20	= 0	x \$9 =	\$0
Indep	2	Minus	3	= 0	x \$44 =	\$0
First Presentation of Multiple Dependent Claim					+ \$150 =	\$0
Total Addit. Fee						\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.


No additional fee for claims is required.

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 50-0537.
If any additional fee for claims is required, charge Account No. 50-0537.

Date: November 22, 2004

Reg. No.: 31,115
Tel. No.: -440-684-1090
Customer No.: 22203



Signature of Practitioner
Mark Kusner
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Application No. 10/672,536
Amendment dated November 22, 2004
RESPONSE TO FINAL OFFICE ACTION dated October 6, 2004



**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3677**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Martyn Hurn
FOR : BUCKLE
SERIAL NO. : 10/672,536
FILED : September 26, 2003
CONFIRMATION NO. : 3722
EXAMINER : James R. Brittain
ART UNIT : 3677
ATTORNEY DOCKET NO. : TK8778US

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

In response to the Final Office Action dated October 6, 2004, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.